

MEMO ENDORSED

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August 25, 2008

BY FACSIMILE

The Honorable Judge P. Kevin Castel
 United States District Court
 Southern District of New York
 500 Pearl Street
 New York, NY 10007

Re: Davis et al. v. Abercrombie & Fitch Co. et al.
Case No. 08 CV 01859

Dear Judge Castel:

We represent the plaintiffs Shoneca Davis, Dawud Eudelle, JacLyn Pagnotta, David Pomales and Kenneth Fingerman in the above-captioned case. We write to request permission an additional ten pages for the reply memorandum of law for Class Plaintiffs' Notice of Motion for Preliminary Certification Pursuant to the Fair Labor Standards Act, for Court-Facilitated Notice to Similarly Situated Persons, and for Expedited Discovery ("Motion"), due September 1, 2008. Defendants do not object to this request.

On August 7, 2008, this Court granted defendants' request for an additional ten pages for their memorandum in opposition to plaintiffs' Motion. Their letter of August 6, 2008 details the "complex factual and legal analysis" that defendants have introduced in this Motion. Although plaintiffs do not agree that many of these arguments, which go to the merits of the overtime claims, are relevant at this early stage of the proceedings, defendants' arguments cannot stand un rebutted. In order to provide a complete response to these factual and legal arguments, plaintiffs respectfully request that they be afforded the same additional space that defendants were granted.

Respectfully submitted,

USDS SDNY

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ELECTRONICALLY FILED

DOC #:

DATE FILED: 8/25/08

*Amended
 granted
 SO ORDERED
 P. J. Castel
 USDC
 8-25-08*

OK